

REMARKS

The application includes claims 1-24 prior to entering this amendment.

The examiner rejects claims 17-24 under 35 U.S.C. § 102(e) as being anticipated by Konsella (U.S. Patent Application 2002/0075519).

The examiner rejects claims 1-16 under 35 U.S.C. § 103(a) as being unpatentable over Konsella in view of Henry (U.S. Patent 6,424,426).

The applicant does not amend any claim. The application remains with claims 1-24 after entering this amendment.

The applicant adds no new matter and requests reconsideration.

Claim Rejections Under § 102 and § 103

The examiner rejects claims 17-24 as being old over Konsella and rejects claims 1-16 as being obvious over Konsella in view of Henry.

The applicant swears behind the Konsella reference under CFR §1.131. Although the December 20, 2000 filing date of the Konsella reference predates the effective filing date of the present application, the applicant conceived of the invention prior to Konsella's filing date and then was diligent in reducing the invention to practice up until the time the patent application was filed on January 22, 2001. The applicant attaches a Declaration under §1.131 signed by the inventor of the present application that attests to conception of the invention prior to Konsella's filing date of December 20, 2000. The applicant also attaches exhibit A in support of the Declaration showing material portions of an invention disclosure form submitted by the inventor to the present application's assignee's patent committee prior to Konsella's filing date of December 20, 2000.

The applicant requests the examiner to remove Konsella as a reference and allow claims 1-24.

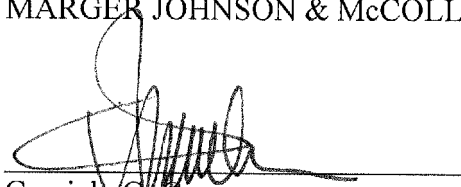
Conclusion

For the foregoing reasons, the applicants requests reconsideration and allowance of the remaining claims. The applicants encourage the examiner to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Customer No. 20575

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

A handwritten signature in black ink, appearing to read 'Graciela G. Cowger', written over a horizontal line.

Graciela G. Cowger

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